

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KIRK GRABLE,

Defendant.

Case No. 3:21-cr-00087-SLG-MMS

ORDER RE SECOND MOTION TO CONTINUE SENTENCING

Before the Court at Docket 80 is Defendant Grable's Second Motion to Continue Sentencing. The Government responded in opposition to the motion at Docket 83. Mr. Grable seeks to vacate the upcoming sentencing hearing in this case and set a status hearing in approximately six months. In effect, Mr. Grable seeks to keep serving his time at the ACC, where he is successfully participating in a transformational living community. The Government opposes, asserting that Mr. Grable "will be able to access similar programs through the Bureau of Prisons." (Docket 83 at 3).

The Court finds that continuing the sentencing so as to allow Mr. Grable to complete this program, which should occur in September 2023, is warranted in this case. The Court finds that the public's interest in Mr. Grable's rehabilitation, and Mr. Grable's own interest in that rehabilitation, will be best met by his completion of this program, rather than now leaving ACC, being in transit for an indefinite period to get to a designated BOP facility, then waiting until he is able to enter RDAP at a facility.

Accordingly, the motion at Docket 80 is GRANTED as follows: the Imposition of

Sentence set for April 7, 2023 is VACATED; a status conference is scheduled for **September 28, 2023 at 10:00 a.m.** in Anchorage Courtroom 2. In the event that Mr. Grable leaves the ACC program before that date, either party may request that sentencing in this case proceed forthwith at that time.

DATED this 5th day of April, 2023 at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE